

<b>DIVISION OF MINED LAND RECLAMATION</b>		<b>PROCEDURE NO.</b>	2.2.04
<b>PROCEDURES MANUAL</b>		<b>ISSUE DATE</b>	April 17, 2006
<b>SUBJECT</b>	Application Processing Time Limit	<b>Section</b>	Technical/Permitting
		<b>Last Revised</b>	3/12/97

### **OBJECTIVE AND INTENT:**

To ensure applications are reviewed and acted upon in a timely manner per 4 VAC 25-130-773.15(a) and 4 VAC 25-130-774.13(b)(1) of the regulations.

### **PROCEDURES:**

#### **Application for Permit or Revision -**

The usual time period to act upon a permit application (approve or disapprove) is within 18 months, and for a revision application within 12 months of the original submittal. The comment letters and bond/fee request letters sent by the Review Specialist to the applicant (prior to permit issuance) shall include a reminder of the applicable 18 or 12 month final determination date.

The Review Specialist will deny the permit or revision application not issued by the final determination date. This denial will be made on the first working day following the final determination date, or as soon as practicable thereafter. Denial of the application shall not prevent the operator from updating the application and resubmitting it as a new application. Such resubmittals will be subject to the requirements for new permit or revision application.

#### **Permit/Revision Applications that are in review when the final determination date lapses -**

The Review Specialist may temporarily suspend the final determination date if the application is in review, in order to allow the review to be completed.

For a revision application that does not require the submittal of bond, fees, or other items, the Review Specialist may grant approval if there are no outstanding technical or permitting comments, which must be addressed by the applicant at the conclusion of the review. For a revision requiring the submittal of bond, fees or other items, and for permit applications, the Review Specialist may extend the final determination date for 10 calendar days from the date bond and fees are requested, provided there are no outstanding technical or permitting comments, which the applicant must respond to at the conclusion of the review.

The Review Specialist will reject an application that is not approvable (i.e., technical or permitting comments are outstanding at the conclusion of the review) as soon as practicable after the review is completed.

The Review Specialist is not obligated to accept any corrections to the application after the original final determination date has passed.

The Reclamation Program Manager may waive this temporary suspension of the final determination date; thus, allowing the denial to proceed at any time after the original final determination date has passed.